



TEXAS JUVENILE JUSTICE DEPARTMENT

TRANSFORMING YOUNG LIVES AND CREATING SAFER COMMUNITIES

Response to the Independent Ombudsman Fourth Quarter Report, FY 2018 October 4, 2018

The Texas Juvenile Justice Department (TJJD) has received the FY 2018 Fourth Quarter Report from the Office of the Independent Ombudsman (OIO), and appreciates this opportunity to respond.

TJJD is encouraged by the OIO's finding of continued positive trends from the 3rd quarter of FY 2018. The agency remains focused on managing the youth population, which will help maintain the positive trends in use of force, assaults, and restraints. This also includes furthering the proactive case reviews and finding the most appropriate placement for youth, while keeping safety and security at the forefront of all efforts.

The OIO's report of an 88.89% decrease in complaints compared to the 4th quarter of FY 2017 shows continued and sustainable benefits of the ongoing case management and population reduction efforts. TJJD is encouraged by the 91.11% decrease in complaints initiated through youth interviews as compared to 4th quarter of FY 2017, as well as the 83.33% and 100% decreases in complaints regarding safety concerns and staff conduct, respectively. These decreases are the results of the continued emphasis on safety and security across all facilities, as well as the ongoing reform efforts underway throughout the agency.

The significant issues identified in this quarter centered on staffing issues at the state secure facilities. TJJD acknowledges the staffing shortages at some of the secure facilities and the agency is currently working on initiatives to mitigate the shortages. This includes working on the life safety structures in certain dorms to ensure safeguards remain in place, but allows more staff to be included in the supervision ratio. Other projects include routinizing dorm assignments and implementing changes to facility organization that will allow for the continuity of programming while providing more direct-care staff supervising youth.

As the OIO asserts, staffing shortages can lead to a myriad of issues, most of which can be addressed with proactive solutions not solely grounded in hiring additional staff. Although increasing available staff is a priority for the facilities, there are some issues stemming from a lack of supervision that can be solved through other means. For instance, TJJD is currently developing additional trauma-informed activities for the dorm that will minimize the down time that youth spend in their rooms. The agency is also moving toward a dorm-centered approach to programming that should decrease occurrences where youth miss a programming opportunity due to the dorm routine.

As for lack of supervision, the agency continually emphasizes the primary focus of life safety and security. There is no excuse for leaving youth unsupervised for extended periods or for staff to miss the required safety and welfare checks of the rooms at the proper intervals. This has been an area of constant focus and the facilities are implementing better ways to hold staff accountable for these safety procedures. This is not solely an issue of available staffing; it is also an issue of current staff not performing as per policy and best practices. This is a serious issue and the agency is identifying methods to perform the necessary safety and welfare checks within existing staffing levels, a solution that is well within the agency's current capacity. The agency has made it clear that missing the required safety and welfare checks will not be tolerated and we anticipate improvements in this area.

Additionally, TJJD has identified the staffing levels as an area the agency could use additional appropriations from the upcoming 86th legislative session. The agency requested an additional \$2.4 million over the next biennium to help the agency hire the necessary juvenile correctional officers and achieve Prison Rape Elimination Act (PREA) compliance. As noted above, the agency has taken steps to increase its supervision ratio, but these additional funds are critical to the agency's ability to hire additional staff to meet the ongoing supervision needs. Further, in the required 10% budget reduction schedule, the agency placed cuts to the direct-care supervisory staff toward the end of the schedule, while placing other staff and needs toward the front of the schedule. This reflects the agency's focus on retaining and filling the critical supervision positions at the secure facilities.

Even with the staffing shortages, TJJD is pleased to see the reduction in incidents and complaints made to the OIO. This echoes the advances the agency has made in other aspects of security and programming. There is no doubt that improving the supervision ratios will further these efforts; however, furthering the reform aspects of the new Texas Model will allow us to see more net-positive results not predicated on staffing levels.

TJJD appreciates the opportunity to respond to this OIO Report and the agency looks forward to sharing updates on efforts that continually move the agency forward.